

The Honorable Marsha J. Pechman

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

JAMALL S. BAKER,

Plaintiff,

V.

TAMMY O'REILLY, et al.,

## Defendants.

NO: 2:21-cv-00361-MJP

JOINT MOTION FOR LEAVE TO FILE  
JOINT STATEMENT OF DISPUTED  
INSTRUCTIONS AND VERDICT  
FORMS AND DEPOSITION  
DESIGNATIONS

NOTE DATE: JUNE 10, 2025

The Parties submit this Joint Motion for Leave to File their Joint Statement of Disputed Instructions and Verdict Forms and the Parties' Deposition Designations, which were due on June 9, 2025. The delays in filing are not intentional or the result of bad faith.

Plaintiff and Defendants' counsel timely exchanged their proposed jury instructions on May 19, 2025, and timely met and conferred pursuant to LCR 16(f). Since then, the Parties have made additional concerted efforts to confer, revise, and thoughtfully reach agreements on the Instructions, Proposed Verdict Forms, and the Proposed Pretrial Order.

On June 9th, the Parties met and conferred to make further and final agreements on the Preliminary and Final Jury Instructions, neutral statement of the case, stipulated facts, and other portions of the Proposed Pretrial Order. Plaintiff's counsel offered to incorporate both Parties' final revisions and file each of the respective documents.

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Shortly before filing, Plaintiff counsel discovered that due to a technical malfunction, the final drafts of the Plaintiff's Objections to Defendants' Proposed Instructions and Plaintiff's Trial Brief could not be located. Plaintiff's counsel spent several hours trying to recover and restore the final drafts but was unable to do so. As a result, Plaintiff's counsel had no choice but to rewrite Plaintiff's objections and trial brief.

Plaintiff's counsel promptly informed Defense counsel of the unfortunate and untimely technical problems. Defense counsel stipulated that Plaintiff's counsel informed him of the issue and that Plaintiff's delay in filing was a result of the unexpected technical issues. Accordingly, the Parties respectfully request the Court to grant them leave to file their Joint Statement of Disputed Instructions and Verdict Forms.

DATED this 10th day of June 2025.

## BYRNES KELLER CROMWELL LLP

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## ~~[PROPOSED]~~ ORDER

Based on the Stipulated Motion for Leave to File their Joint Statement of Disputed Instructions and Verdict Forms and the Parties' Deposition Designations and good cause appearing, IT IS HEREBY ORDERED that the foregoing Motion be GRANTED. The Parties' Joint Statement of Disputed Instructions and Verdict Forms and the Parties' Deposition Designations will be accepted and added to the trial record.

Dated this 13th day of June 2025.

Wesley P. Lehman

Marsha J. Pechman  
United States Senior District Judge

Presented by:

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